

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

NIGEL MARLIN REID, II)
)
V.) NO. 2:16-CV-14
)
MCDONALDS CORPORATE OFFICE)

REPORT AND RECOMMENDATION

The pro se plaintiff has filed an Application to Proceed *in Forma Pauperis* [Doc. 26] on appeal. The Application has been referred to the undersigned for determination [Doc. 27].

In a previous report and recommendation [Doc. 8], which dealt with the plaintiff's application to proceed *in forma pauperis* before this Court, the undersigned found that the plaintiff met the requirements of 28 U.S.C. § 1915(a), and recommended that the application be granted. The undersigned also recommended that the complaint be dismissed for lack of subject matter jurisdiction because it failed to state a cause of action under any federal statute or the United States Constitution. Plaintiff appealed this to the District Judge, who ultimately entered an order dismissing the case and adopting the report and recommendation in full.

For the reasons expressed in the prior report and recommendation [Doc. 8], it is respectfully recommended that the present Application [Doc. 26] be GRANTED, and that the plaintiff be allowed to proceed on appeal *in forma pauperis*.¹

Respectfully submitted,

s/ Clifton L. Corker
UNITED STATES MAGISTRATE JUDGE

¹Any objections to this report and recommendation must be filed within fourteen (14) days of its service or further appeal will be waived. 28 U.S.C. 636(b)(1).